

STATE OF NEW HAMPSHIRE

Motor Vehicle Inspection and Maintenance State Implementation Plan Revision

Prepared by:

**The New Hampshire Department of Environmental Services
Concord, NH**

November 1, 2011



State Implementation Plan Revision

Table of Contents

List of Tables	2
List of Appendices	2
Glossary of Terms and Abbreviations	3
Executive Summary	5
Introduction	6
1. Applicability (40 CFR § 51.350).....	7
2. Enhanced I/M Standard (40 CFR § 51.351)	7
3. Network Type and Program Evaluation (40 CFR § 51.353).....	11
4. Adequate Tools and Resources (40 CFR § 51.354).....	12
5. Test Frequency and Convenience (40 CFR § 51.355)	13
6. Vehicle Coverage (40 CFR § 51.356)	13
7. Test Procedure and Standards (40 CFR § 51.357)	14
8. Test Equipment (40 CFR § 51.358).....	14
9. Quality Control (40 CFR § 51.359)	15
10. Waivers and Compliance via Diagnostic Inspection (40 CFR § 51.360).....	16
11. Motorist Compliance Enforcement (40 CFR § 51.361)	17
12. Motorist Compliance Enforcement Program Oversight (40 CFR § 51.362)	18
13. Quality Assurance (40 CFR § 51.363)	19
14. Enforcement against Contractors, Stations and Inspectors (40 CFR § 51.364)	20
15. Data Collection (40 CFR § 51.365).....	20
16. Data Analysis and Reporting (40 CFR § 51.366)	21
17. Inspector Training and Certification (40 CFR § 51.367)	21
18. Public Information and Consumer Protection (40 CFR § 51.368)	22
19. Improving Repair Effectiveness (40 CFR § 51.369).....	22
20. Compliance with Recall Notices (40 CFR § 51.370)	22
21. On-Road Testing (40 CFR § 51.371).....	23

LIST OF TABLES

Table 1 - Comparison of Composite VOC, NO_x and CO Emission Factors in New Hampshire's 8-Hour Ozone Non-Attainment Area

Table 2 - Estimated Air Quality Benefit of New Hampshire's I/M Program

List of Attachments

- I New Hampshire I/M Program Background**
- II New Hampshire Revised I/M Agreement Points**
- III Applicable New Hampshire Legislation**
- IV Applicable New Hampshire Revised Statutes Annotated**
- V Applicable New Hampshire Administrative Rules**
- VI Applicable New Hampshire I/M Program Implementation Documentation**
- VII Applicable MOBILE6.2 Files - Input & Output Files**
- VIII Quality Assurance Programming Documentation**
- IX List of New Hampshire OBD Inspection Stations**
- X Comments Received and DES Responses Regarding Draft SIP Posting**

Glossary of Terms and Abbreviations

- **CAA:** Clean Air Act
- **CFR:** Code of Federal Regulations.
- **DES:** The New Hampshire Department of Environmental Services.
- **DMV:** The New Hampshire Department of Motor Vehicles.
- **DOS:** The New Hampshire Department of Safety
- **Env-A:** DES administrative rules related to air.
- **EPA:** The United States Environmental Protection Agency.
- **ESI:** Enhanced Safety Inspection
- **GVWR:** The gross vehicle weight rating, which is defined and specified by each vehicle manufacturer for each vehicle.
- **Help Line:** The combined manual/automated system operated by the vendor to handle questions and troubleshooting from motorists and inspection stations.
- **Inspection Agreement:** Contract between DMV and the vendor, "for the Establishment and Operation of a Decentralized Motor Vehicle Inspection Program for the State of New Hampshire."
- **I/M:** Inspection and Maintenance. I/M programs are designed to oversee vehicle safety and emissions inspections, and assure that needed repairs are properly performed by competent licensed technicians.
- **LDG:** Light-duty gasoline.
- **LDD:** Light-duty diesel.
- **Lbs.:** Unit of measurement. Pounds.
- **Make:** Vehicle manufacturer.
- **NAAQS:** National Ambient Air Quality Standards
- **NHOST:** New Hampshire OBD/Safety Test.
- **NHOST System:** The overall network (including databases) created for the OBD/Safety Test.
- **NHOST Unit:** The test system installed in the individual inspection stations in New Hampshire
- **NO:** Nitric oxide or nitrogen monoxide, the principle emitted gas that is measured, and used as a surrogate for NO_x emissions.
- **NO_x:** Oxides of Nitrogen.
- **OBD:** On-Board Diagnostics.
- **OBD II:** Second generation OBD system, which is an integral part of the computer controls on 1996 and later model year passenger cars and light trucks. OBD II systems are designed to detect deterioration of power train or emission control components that may result in increases in vehicle exhaust and evaporative emissions. The current On-Board Diagnostics (OBD) electronic system that includes the most up-to-date comprehensive system monitors starting with model year 1996 vehicles.
- **OTR:** Northeast Ozone Transport Region, which was established in section 184(a) of the CAA.

- **Project Manager:** The vendor staff member responsible for managing all of our team's activities under this project.
- **QA:** Quality Assurance.
- **RFP:** Request For Proposal. This acronym refers to the RFP issued by the State of New Hampshire for the On-Board Diagnostics and Safety Inspection Program Management vendor.
- **RSA:** Revised Statutes Annotated. The New Hampshire Revised Statutes Annotated (RSA) forms the codified law of the state subordinate to the New Hampshire State Constitution.
- **SAF-C:** DOS administrative rules.
- **Scan Tool:** The electronic device and connector cable used to connect to a vehicle's OBD system to perform the official OBD test as part of the vehicle's annual safety inspection.
- **SIP:** State Implementation Plan. For the purpose of this document, SIP refers to the State of New Hampshire's implementation plan for the vehicle I/M program.
- **The State:** The State of New Hampshire.
- **Triggers Analysis:** Data analysis and mining techniques used in I/M programs to identify potential problem inspection stations, technicians and test systems.
- **Vendor:** Gordon-Darby, Inc. (as of May 2011)
- **VIN:** Vehicle Identification Number.
- **VOC:** Volatile Organic Compounds, used to express hydrocarbon emissions, including aldehydes.

Executive Summary

In 1998, the New Hampshire General Court passed House Bill (“HB”) 1513, codified as RSA 266:59-b and 266:59-c, providing the New Hampshire Department of Safety (DOS) with the authority and resources to implement a vehicle inspection and maintenance (I/M) program inclusive of On Board Diagnostics (OBD II) testing. Additional legislation was passed in subsequent years in order to streamline implementation. In June 2008, the Division of Motor Vehicles (DMV) within DOS revised the motor vehicle inspection rules resulting in changes to the state’s OBD II inspection program. This revision to New Hampshire’s State Implementation Plan (SIP) is triggered by the revised inspection rules and is required under federal regulations, 42 United States Code section 7511a, section 182(c)(3)(A) of the Clean Air Act Amendments of 1990. This submittal by the New Hampshire Department of Environmental Services (DES) satisfies this requirement.

New Hampshire’s vehicle I/M program was first formalized in 1998, when the State of New Hampshire and the U.S. Environmental Protection Agency (EPA) reached an agreement regarding its implementation in the form of the document, “Revised I/M Agreement Points”. This agreement enabled New Hampshire to develop and implement a decentralized I/M program, offering convenience to the public and reducing cost while providing an improved air quality benefit as compared to the federally required Low Enhanced Performance Standard. The EPA subsequently approved this agreement in the Federal Register as a SIP strengthening measure, which would satisfy New Hampshire’s Federal I/M requirements under the Clean Air Act.

The vehicle I/M program, designed to identify vehicles that emit pollutants that exceed or may exceed acceptable standards and require such vehicles to get repaired, is an important part of the strategy to ensure that New Hampshire is positioned to attain the National Ambient Air Quality Standard (NAAQS) for Ozone. The estimated air quality benefit of the New Hampshire program as compared to the federal Low Enhanced Performance Standard is an *additional* reduction of 3.86 tons of NO_x per day and 1.15 tons of VOCs per day in the non-attainment area (for an analysis year of 2009). The emission reductions resulting from this program are an integral part of New Hampshire’s air quality attainment efforts and important as part of a balanced strategy that includes reductions from stationary, area and mobile source sectors.

The structure of this document follows the framework laid out in 40 CFR 51.351 through 51.371, including a description of how New Hampshire is meeting the I/M requirements and the statutory and regulatory authority to do so.

Introduction

The federal Clean Air Act (CAA) require Enhanced vehicle I/M programs in many population centers and areas that have a history of high concentrations of ground-level ozone, the chief component of “smog”. Section 182(c) of the CAA mandates Enhanced I/M in areas designated as “serious” for ozone non-attainment with a 1980 population of 200,000 or more. Parts of Hillsborough and Rockingham counties in New Hampshire, which were referred to as New Hampshire’s “Southern Serious Non-Attainment Area” under the 1-hour ozone standard, and which are included in the Boston-Lawrence-Salem Consolidated Metropolitan Statistical Area (“CMSA”), fall under this criterion.

Section 184(b) of the CAA outlines I/M requirements for the Northeast Ozone Transport Region (“OTR”). All of New Hampshire, eleven other states and the District of Columbia comprise the OTR as established in Section 184(a). Enhanced I/M is mandated in each Metropolitan Statistical Area (“MSA”) within the OTR with a 1990 population of 100,000 or more, regardless of air quality status. The Portsmouth-Dover-Rochester MSA (part of Rockingham county and most of Strafford county) and the Manchester MSA (parts of Hillsborough and Rockingham counties, and two towns in Merrimack county), each had 1990 populations of more than 100,000, and therefore fall under this criterion.

This document describes the New Hampshire motor vehicle I/M program, which addresses the above requirements. The history of New Hampshire’s I/M program development can be reviewed in Attachment I. In 2001, EPA approved Saf-C 3221 A and Saf-C 5800 (66 FR 2868) as part New Hampshire’s SIP. These rules required the inspection of certain motor vehicle emissions reduction equipment and added diesel opacity inspection procedures as part of the existing vehicle safety inspection program. In June 2008, DOS amended Saf-C 3200, the motor vehicle inspection rules, adding Saf-C 3222 ON BOARD DIAGNOSTICS SYSTEM to create the State’s On-Board Diagnostics (OBD II) inspection program. DOS provided public notice and conducted a public hearing for the rulemaking at that time. Due to these rules change, New Hampshire is revising the state implementation plan (SIP) for submittal to EPA.

The existing I/M SIP approved by EPA in January 2001 includes a roadside diesel opacity inspection program that remains in effect and unchanged by the revision proposed herein. The DMV rules (part Saf-C 5800) that implement the roadside diesel opacity inspection program are included in Attachment V.

This SIP revision is being submitted in accordance with 40 CFR Part 51. This document provides the specific program elements as well as the supporting statutory and regulatory authority that have been established pursuant to requirements of 40 CFR 51.350 through 51.371. This document outlines the New Hampshire I/M program, with each section providing the details on specific elements of the program, followed by citations to the statutory and regulatory authority to conduct these specific elements.

When amending Saf-C 3200, DOS held a public comment period from December 24, 2010 to February 11, 2011, with a public hearing held on January 28, 2011. EPA Region 1 submitted separate comments on both the preliminary draft submitted March 30, 2010, and more recently by letter dated January 27, 2011 on the amendment draft open for public comment. Comments were also received from DMV on January 11, 2011. This submission addresses all comments provided by EPA and DMV. No comments were received from the public. Comments received and DES responses are compiled in Attachment X.

1. Applicability (40 CFR § 51.350)

1.1. New Hampshire Program Meeting Federal Requirements

New Hampshire implements its I/M program statewide. New Hampshire meets its I/M obligations through an Enhanced Safety Inspection (ESI) which includes a visual anti-tampering inspection for pre-1996 model year vehicles less than 20 years old, a statewide OBD II-Inspection Program for 1996 and newer OBD II-compliant light-duty vehicles (i.e., less than 8500 lbs. GVWR), and a Diesel Opacity Testing Program for heavy-duty diesel vehicles (greater than 10,000 lbs. GVWR).

1.2. Applicable Documentation for the New Hampshire I/M Program

In a letter to EPA dated November 13, 1997, New Hampshire originally proposed an alternative approach that is environmentally superior to the implementation of the program prescribed by EPA's low-enhanced I/M performance standard. Following negotiations between DES, DOS and EPA, this proposal evolved into the "Revised I/M Agreement Points" approved in a letter from Dick Wilson and John DeVillars dated January 30, 1998 (Attachment II).

The Revised I/M Agreement Points were codified into RSA 266:59-b and 266:59-c by HB 1513 (Attachment III) in June 1998 and the EPA's proposed approval of New Hampshire's alternative approach to meeting its Enhanced I/M obligation was published as a "SIP strengthening measure" in the Federal Register on December 17, 1998 (63 FR 69589). Final approval occurred in January 2001. The regulations implementing the inspection programs are included in Saf-C 3220 and Saf-C 5800 (Attachment V).

2. Enhanced I/M Standard (40 CFR § 51.351)

2.1. New Hampshire Program Meeting Federal Requirements

Under strict interpretation of Clean Air Act requirements, New Hampshire is required to implement a low-Enhanced I/M program in Hillsborough, Rockingham, and Strafford counties. However, per the 1998 agreement, New Hampshire has committed to implementing a modified OTR low-enhanced I/M program *state-wide*. New Hampshire's motor vehicle I/M program includes an Enhanced Safety Inspection (ESI) and a second generation OBD test, collectively referred to throughout this SIP revision as the New Hampshire I/M Program. NH's Enhanced Safety Inspection includes the safety related inspection components of Chapter Saf-C 3200 and the visual anti-tampering inspection of emissions-related components required by Part Saf-C 3220. The New Hampshire I/M Program includes:

1. an OBD II testing for MY 1996 and newer light-duty gasoline vehicles and for MY 1997 and newer light-duty diesel vehicles up to 8500 lbs GVWR;
2. an Enhanced Safety Inspection (ESI) (i.e., safety and anti-tampering inspection) for pre-1996 vehicles less than 20 years old; and
3. a roadside diesel opacity testing program.

The ESI program, which was first implemented in 1999, and legislatively amended in 2004, applies to all vehicles less than 20 model-years old and consists of a visual check for the presence and proper connection of the following equipment on vehicles so equipped:

1. Positive crankcase ventilation (PCV) valve and proper hose configuration;

2. Air injection pump/pulse air systems;
3. Gas cap;
4. Evaporative purge canister; and
5. Catalytic converter.

The roadside diesel opacity program first became effective January 1, 1999 (1998 N.H. Laws 266:59-b). The opacity testing program utilizes the SAE J1667 ("Snap Acceleration") test procedure and applies to heavy-duty diesel vehicles (greater than 10,000 lbs. GVWR) registered either in New Hampshire or outside New Hampshire.

On December 1, 2006, the state began its pass/fail OBD II program for all MY 2002 and newer light-duty vehicles up to 8500 lbs GVWR. On October 1, 2007, all MY 1996 and newer light-duty gasoline (LDG) and all MY 1997 to MY 2001 light-duty diesel (LDD) vehicles up to 8500 lbs GVWR were subject to a pass/fail OBD II inspection as well. The year of the engine, as specified by the manufacturer, shall determine whether an OBD inspection is required. All OBD inspections are conducted in accordance with the requirements of 40 CFR 85.2222.

2.2. Applicable Documentation for the New Hampshire I/M Program

The legal authority for the New Hampshire's I/M Program is included in Attachment IV and contains both statutory and regulatory authority for the ESI, OBD II and Diesel Opacity programs. Attachment V contains the documents that demonstrate the implementation of these programs in accordance with this authority.

As noted in Section 1.2, the I/M program provisions were codified into RSA 266:59-b and RSA 266:59-c by HB 1513 in June 1998 and EPA published notice to approve New Hampshire's Alternative I/M SIP as a "SIP strengthening measure" in December 1998. Final approval occurred in January 2001.

Subsequent action taken by the New Hampshire General Court has modified implementation and is included in Attachment III:

- HB 1293 – 2004 Session (amending RSA 266:59-b)
- HB 513 – 2005 Session (amending RSA 266:1 and RSA 266:59-b)
- Senate Bill ("SB") 341 – 2006 Session (amending RSA 21-P:4)

New Hampshire's vehicle inspection program is administered by DOS pursuant to RSA 266:1 and 266:59-b. With prime responsibility for air quality issues and policies falling on DES, the two agencies work cooperatively to establish the rules to implement the program, conduct outreach and education activities, and prepare the annual and biennial reports to the US EPA.

DOS has adopted administrative regulations that govern the day-to-day administration and operation for the programs (Attachment V) and include:

- NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES Saf-C 3200 Part Saf-C 3220 Emissions Requirements
- NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES Saf-C 3200 Part Saf-C 3222 On-Board Diagnostic System
- NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES Saf-C 5800 Roadside Diesel Opacity Program

2.3. Enhanced Safety Inspection Program

HB 1513 (RSA 266:59), the enabling legislation for the New Hampshire I/M Program, became effective in New Hampshire on June 18, 1998. The legislation called for the implementation of specific inspection criteria (1-4 in Section 2.1) starting January 1, 1999. The legislation amended RSA 266 to include a new section, RSA 266:59-b, and DOS drafted revisions to the NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES Part Saf-C 3220 to accommodate the additional inspection procedures. These rules first went into effect in September 1998 for 1980 and newer vehicles.

In May 2004, through HB 1293, the NH legislature modified RSA 266:59-b allowing the ESI inspection to include a visual check of the evaporative purge canister in lieu of the fuel inlet restrictor. HB 1293 also modified RSA 266:59 to only affect those vehicles newer than 20 model years old.

DOS drafted revisions to the NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES Part Saf-C 3220 ("Emission Requirements") to reflect these statutory changes, with the most recent changes going into effect in June 2008.

2.4. Diesel Opacity Program

HB 1513 also established an on-road diesel opacity testing program beginning January 1, 1999 that uses the SAE J1667 test procedure. The legislation amended RSA 266 to include a new section, RSA 266:59-c, and DOS drafted rules regarding the test procedures, which are described in detail in the NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES Chapter Saf-C 5800. The rules for the diesel opacity program became effective January 1, 1999.

2.5. OBD II Program

HB 1513 (RSA 266:59-b) also contains language that committed the state to implement an on-board diagnostics ("OBD") inspection program for vehicles so equipped. The implementation of the OBD II program received minor modification through HB 513 in the 2005 session and as mentioned, OBD II testing began on December 1, 2006. DOS drafted revisions to the NH Code of Administrative Rules Part Saf-C 3222 ("On-Board Diagnostic System") with the most recent changes going into effect in June 2008.

2.6. Demonstration of Air Quality Benefit of New Hampshire I/M Program

The following narrative and tables demonstrate the environmental superiority of New Hampshire's state-wide I/M Program as compared to the Federal Low-Enhanced performance standard.

Table 1 shows the composite summer emission factors for both nitrogen oxides (NO_x) and volatile organic compounds (VOC) and composite winter emission factors for carbon monoxide (CO) for both a low-enhanced program and for New Hampshire's I/M program. The New Hampshire I/M Program reduces the gram per mile emissions rate of nitrogen oxides (NO_x) and volatile organic compounds (VOC) in each of the years evaluated relative to the emission rate under a Federal low-enhanced performance standard, and reduces the carbon monoxide (CO) emission rate in both 2009 and 2015, when the program is fully implemented. Because New Hampshire's I/M program is implemented statewide, the total emissions benefit of New Hampshire's program is even greater than indicated by the reduced rate of emissions.

Table 1 - Comparison of Composite VOC, NO_x and CO Emission Factors in New Hampshire's 8-Hour Ozone Non-Attainment Area

	Year 2007 (g/mile)			Year 2009 (g/mile)			Year 2015 (g/mile)		
	VOC	NO _x	CO	VOC	NO _x	CO	VOC	NO _x	CO
Federal Low-Enhanced I/M Performance Standard	0.835	1.703	18.126	0.702	1.425	16.648	0.460	0.755	13.021
NH I/M Program	0.816	1.613	19.260	0.671	1.321	16.050	0.418	0.630	12.229
<i>Change in Emissions with NH Program</i>	-0.019	-0.090	+1.134	-0.031	-0.104	-0.598	-0.042	-0.125	-0.792

Table 1 Notes:

1. Emission factors computed using EPA's MOBILE6.2 model.
2. MOBILE6.2 model input and output files are available in Attachment VII.

Table 2 quantifies the emissions under both options and demonstrates the *additional* air quality benefit for VOCs, NO_x and CO that is realized in the New Hampshire 8-hour ozone non-attainment area as a result of the implementation of New Hampshire's statewide I/M program instead of the Federal Low-Enhanced performance standard.

Table 2 - Estimated Air Quality Benefit of New Hampshire's I/M Program

	Year 2007 (tons/day)	Year 2009 (tons/day)	Year 2015 (tons/day)
NO_x	3.21	3.86	5.18
VOC	0.68	1.15	1.75
CO	-36.60	20.42	30.35

Table 2 Notes:

1. Developed using emission factors from Table 1.
2. Daily vehicles-miles traveled (VMT) for the NH non-attainment area for 2007, 2009 and 2015 were developed from analysis of 2005 NH Highway Performance Monitoring System (HPMS) data, which was provided by NH DOT, and projected to 2015 assuming a 2% annual growth.

The Low-Enhanced performance standard emission factors shown in Table 1 were derived from MOBILE6.2 modeling input data provided by EPA. This input file was modified only to reflect the meteorological conditions specific to New Hampshire for both the summer and winter seasons. The EPA's I/M performance standard program inputs were then replaced by New Hampshire's I/M program inputs to create a second set of MOBILE6.2 input file in order to calculate the effectiveness of the New Hampshire program. The evaluation years, 2007, 2009 and 2015, were selected in consultation with EPA. All MOBILE6.2 input and output files are found in Attachment VII.

3. Network Type and Program Evaluation (40 CFR § 51.353)

3.1. New Hampshire Program Meeting Federal Requirements

The New Hampshire I/M program is implemented statewide under a contract with a vendor utilizing a decentralized network of approximately 1,900 vehicle safety inspection stations. New Hampshire's inspection stations are both test and repair facilities.

In 1999, DES and DOS, in consultation with EPA Region 1, began developing an OBD II inspection program that would utilize hand-held OBD scan tools and rely on a paper-based reporting system. During the summer of 2001, New Hampshire trained over 1800 inspectors to conduct the OBD II inspection using the hand held scan tools, and implemented a test program with 6 inspection stations. A pilot of this program was conducted with about 10 stations. Based on the pilot program, New Hampshire halted efforts to establish a paper-based system due to the overwhelming data entry requirement for the State, and reexamined the cost of implementing an automated, computer-based program, the cost of which had decreased dramatically in the previous year. In late 2001 New Hampshire requested a one-year delay in the start date of a New Hampshire program, to January 2003 in order to implement a computer-based inspection and reporting program. New Hampshire was not able to meet the January 2003 implementation date and in 2004, entered into a contract with a vendor to administer and support the OBD II inspection program. As of May 2005, all inspection stations were required to have signed contracts with the vendor in order to continue doing motor vehicle inspections. Stations conducting less than 200 inspections per year were given until December 2006 to join the vendor system, and until then, could conduct OBD II inspections using handheld scan tools and reporting in a paper-based format. After 2006, all stations were required to use vendor-supplied OBD inspection equipment that electronically conducts the OBD tests and reports the results to a vendor-maintained database. Exemptions to the electronic reporting system were provided for:

1. inspections stations authorized to inspect only motorcycles;
2. fleet motor vehicle inspection stations for non-OBD II vehicles;
3. municipal and county fleet inspection stations; and
4. inspection information for any vehicle of model year 1995 or older.

Biennial reporting requirements relative to 40 CFR 51.353(c)(1)-(c)(4) includes an audit or monitoring of a 0.1% statistical subset of the test data, generally derived from tailpipe testing. This audit is intended to review the accuracy of the testing procedures.

NH's OBD vendor performs data quality checks, such as looking for anomalies, on 100% of the OBD test results. As confirmed through discussions with EPA Region 1, the requirements in 40 CFR 51.353(c)(3) are being satisfied by this level of data quality checks being conducted by the OBD vendor.

3.2. Applicable Documentation for the New Hampshire I/M Program

In 2002, New Hampshire released a request for proposals seeking a vendor to implement OBD II testing statewide. Six entities submitted applications, including Gordon Darby NHOST Services, Inc. whose proposal was approved through a contract awarded in 2004 which was effective through June 23, 2009. Under this contract the vendor supplied participating licensed NH inspection stations with OBD II testing hardware, software, technical support, and training on the computerized testing/reporting system known as the New Hampshire OBD and Safety Testing program, or "NHOST." A commitment to support the State's requirement to conduct biennial evaluations of the I/M program's effectiveness, as required by the EPA, was also included. On November 2, 2005, the vendor contract was amended and

extended through June 30, 2010. In June 2010, a two-year extension clause was exercised extending the contract to June 30, 2012. Documents referenced in this section are in Attachment VI.

Documentation of the exemptions to the electronic reporting requirement is in NH RSA 266:1 (Attachment IV).

4. Adequate Tools and Resources (40 CFR § 51.354)

4.1. New Hampshire Program Meeting Federal Requirements

The NH OBD II vehicle emission inspection program is self-funded. Licensed inspection stations pay the State an annual administrative fee of \$25 as well as \$3.25 per inspection sticker. The revenue from the stickers accrues primarily to the state Highway Fund, which the Commissioner of DOS is authorized to draw upon for all expenses related to the inspection administration and enforcement. Inspection stations also pay the vendor directly a fee of \$50.00 per month or \$5.15 per test, whichever is greater. The vendor supplies the station equipment needed to complete the OBD II test and report the results and there is no capital investment needed by the station. There is no charge for a single retest within 60 days if the prior rejection was for OBD related failures.

DMV has an established administrator position overseeing the emissions program. There are now 8 troopers undertaking full-time enforcement duties related to inspection program. These duties include inspection station auditing, investigation of alleged inspection station malfeasance, rejected vehicle follow-up, on-road enforcement, sticker monitoring, and enforcing RSA 266 (Attachment IV), the statute regarding inspections. In 2010, 555 overt inspection station inspections were conducted, 62 stations were audited and, following 58 resulting hearings, 7 were shut down.

A portion of the inspection sticker revenue also accrues to a Motor Vehicle Pollution Abatement Fund (MVPAF). The MVPAF is used to support DES's Mobile Source program, including support of the OBD II inspection program.

4.2. Applicable Documentation for the New Hampshire I/M Program

NH RSA 266:1-a (Attachment IV) relates to the roles and responsibilities of the Enforcement Officers who are assigned to the enforcement of the inspection program. Enforcement Officers appointed by the commissioner have as their primary function enforcement duties related to the inspection process, including inspection station auditing, investigation of alleged inspection station malfeasance, rejected vehicle follow-up, and sticker monitoring. As authorized under RSA 266:1, an enforcement officer shall have the authority to enter any motor vehicle inspection station during the station's business hours to fulfill his or her duties. He or she will also be assigned other enforcement duties as determined by the commissioner. The commissioner shall furnish suitable equipment to an enforcement officer, as the commissioner deems necessary, to distinguish the officer as an individual acting in an official capacity. An enforcement officer appointed by the commissioner pursuant to this section shall be directly responsible to the director and shall be a classified employee.

In 2003, HB 4 (Attachment III) amended NH RSA 266:2 (Attachment IV) and increased fees charged for the inspection sticker booklets from the \$1.50 per sticker to \$2.50 per sticker. In 2009, HB 2

(Attachment III) was passed, again amending NH RSA 266:2 and increasing fees charged for the inspection sticker booklets from the \$2.50 per sticker to \$3.25 per sticker.

5. Test Frequency and Convenience (40 CFR § 51.355)

5.1. New Hampshire Program Meeting Federal Requirements

All privately owned motor vehicles are subject to an annual safety inspection in the birth month of the registered owner. Corporate and fleet vehicles are inspected in specified months; government and municipal vehicles are inspected in March. For required vehicles, the annual anti-tampering and OBD II inspections are conducted at the same time as the safety inspection.

New Hampshire's I/M program is convenient to motorists through a statewide decentralized network that had approximately 1850 participating inspection stations in operation during 2010 (Attachment IX). The attached CD lists the stations by county, city and town that were licensed at the time of this submittal. A current listing of licensed inspection stations is maintained by DOS on their website at <http://www.nhinspect.com/HTML/EntireState.html>.

Convenience is further ensured through the vendor who provides referee services in the event of a disputed OBD II inspection outcome. The vendor has committed to deliver an alternative referee solution that provides improved customer service. Under this alternative, all vendor field service technicians are equipped and trained as mobile referees. This provides a statewide workforce of 6-10 mobile referee units that are available to handle OBD II referee tests by appointment and at a mutually agreeable convenient location. Motorists are able to schedule referee appointments by calling the vendor's toll-free Help Line phone number, resulting in a customer-friendly approach to providing the required referee services.

5.2. Applicable Documentation for the New Hampshire I/M Program

Pursuant to RSA 266:1 (Attachment IV), all registered motor vehicles are inspected annually either in the owner's month of birth, or if owned by a corporation, during a month specified by the Director.

6. Vehicle Coverage (40 CFR § 51.356)

6.1. New Hampshire Program Meeting Federal Requirements

The New Hampshire I/M program is implemented statewide utilizing a decentralized network of approximately 1820 vehicle inspection stations and includes an anti-tampering inspection and an OBD II inspection program with the year of the engine, as specified by the manufacturer, determining which inspection is required. The anti-tampering inspection affects vehicles 20 and less model years old that are not subject to the OBD II inspection. The OBD II inspection applies to all model year 1996 and newer light-duty gasoline vehicles and model year 1997 and newer light-duty diesel vehicles.

In addition, New Hampshire implements a roadside diesel opacity testing program utilizing the SAE J1667 ("Snap Acceleration") test procedure. The diesel opacity testing program applies to all heavy-duty diesel-powered vehicles with a manufacturer's gross vehicle weight rating of 10,000 pounds or more, and all diesel-powered buses, manufactured to carry 25 or more passengers operating on the highways, roads and public ways of New Hampshire. All federal vehicles, including military vehicles, are exempt from these tests as are vehicles that pass an initial "Quick Screen" process upon being selected for pullover. Vehicles that can present proof of having passed an opacity test in New Hampshire or any state within the previous 12 months or can present proof of having repairs to address emission violations, are also exempt from testing. These non-federal exemptions do not apply if any subject vehicle appears to be emitting visible black smoke.

6.2. Applicable Documentation for the New Hampshire I/M Program

See Section 2.2.

7. Test Procedure and Standards (40 CFR § 51.357)

7.1. New Hampshire Program Meeting Federal Requirements

As noted in Section 1.1, the New Hampshire I/M Program, which was first implemented in 1999 and legislatively amended in 2004, applies to all vehicles less than 20 model years old that are not subject to the OBD II inspection, and consists of a visual check for the:

1. Positive crankcase ventilation (PCV) valve and proper hose configuration;
2. Air injection pump/pulse air systems;
3. Gas cap;
4. Evaporative purge canister; and
5. Catalytic converter.

All OBD II inspections are conducted using procedures that meet the procedural requirements set forth in 40 CFR 85.2222 and test standards established in 40 CFR 85.2207. Roadside diesel opacity testing program utilizes the SAE J1667 ("Snap Acceleration") test procedure.

7.2. Applicable Documentation for the New Hampshire I/M Program

See Section 2.2 for documentation of the New Hampshire I/M program. Attachment V includes the State's OBD II administrative rules, specifically Saf-C 3222.03, which specifies the test procedures in 40 CFR 85.2222, which in turn reference the test standards established in 40 CFR 85.2207. Attachment V also includes the State's Diesel Opacity administrative rules, which specify the use of the SAE J1667 test procedure.

8. Test Equipment (40 CFR § 51.358)

8.1. New Hampshire Program Meeting Federal Requirements

The State's vendor contract requires the vendor to use a scan tool capable of collecting OBD II test data and vehicle safety inspection data for EPA and DMV reporting and queries. All OBD inspections are conducted in accordance with the requirements of 40 CFR 85.2222 and meeting the standards outlined in 40 CFR 85.2207.

Per the Request for Proposals released by NH DOS and the commitments made by the vendor in its proposal and the contract (Attachment VI), the vendor supporting the State's OBD II program must use equipment meeting the requirements of 40 CFR 51.358 including :

1. *System Design, Compatibility and Communication*
 - a. The test equipment is able to read and review the OBD II information from the vehicle's onboard computer;
 - b. The system provides for an electronic connection from the vehicle inspection station to a central location; and
 - c. The system enables the inspector, using the VIN, to verify registration and vehicle information from a central database.
2. *Data Collection, Storage and Reporting*
 - a. The system reports to the safety inspector any problems found from the OBD II test; and
 - b. The test equipment is able to collect OBD II test data and vehicle safety inspection data for EPA and DMV reporting and queries.
3. *System Output*
 - a. The system provides a printed on-site report of the OBD II and vehicle inspection results to the vehicle owner/driver and transmits to a central location.
4. *System Capacity; and*
 - a. The system will accommodate approximately 1820 inspection stations, 15,000 licensed inspectors, and 1.3 million annual vehicle inspections and has the capability to accommodate increasing or decreasing numbers of inspections and/or inspection stations/inspectors.
5. *System Security and Quality Assurance*
 - a. The system provides for an audit trail to track the use of all OBD II testing equipment;
 - b. The system provides and explains a security system, which verifies the identity and access rights of each individual inspector and the licensed inspection station at the time that they attempt to access the test/reporting system;
 - c. The system also is able to lock-out inspectors and/or inspection stations, whose privileges have been suspended or revoked; and
 - d. The system is able to check for a vehicle having been previously tested at another inspection station, and inform the current inspector as to the reason that the vehicle did not pass the previous test if it failed.

8.2. Applicable Documentation for the New Hampshire I/M Program

See Section 2.2 for documentation related to the ESI, OBD II, and diesel opacity testing programs and section 3.2 and Attachment VI for documentation of vendor contractual requirements.

9. Quality Control (40 CFR § 51.359)

9.1. New Hampshire Program Meeting Federal Requirements

The equipment audits specified in sections 40 CFR 51.359(a), (b), (c), and (d) are not applicable to New Hampshire's I/M program as the referenced testing equipment is not utilized in the inspection program.

The requirements of 40 CFR 51.359(e) are ensured through the implementation of "cradle-to-grave" sticker tracking process to maintain sticker security. Under the state contract the vendor's vehicle inspection database system (VID) tracks which stickers have or have not been used, and stations are responsible for accounting for all stickers, including those missing, stolen, replaced or damaged. This includes the following elements:

1. An administrative VID application that assigns stickers sold to a particular station electronically to that station in a master inventory maintained on the VID;
2. Sticker numbers sold/assigned to a station are downloaded to the station's NHOST unit(s) upon their next subsequent connection to the VID, and used to update the locally stored inventory of sticker numbers assigned to the station;
3. Sticker number assignments to test vehicles are tracked by the NHOST software and uploaded to the VID, and the master inventory is automatically updated.

9.2. Applicable Documentation for the New Hampshire I/M Program

For documentation of vendor contractual requirements, see section 3.2 and Attachment VI.

10. Waivers and Compliance via Diagnostic Inspection (40 CFR § 51.360)

10.1. New Hampshire Program Meeting Federal Requirements

NH does not issue conventional repair waivers, but as required by RSA 266:59-b, V, does offer an economic hardship time extensions on a case-by-case basis as determined by the DMV. Such extensions are for a single inspection cycle and cannot be re-issued for a given vehicle. The hardship extensions were initiated in CY 2007 for the first time. In addition, NH's program allows for issuance of "electronic administrator's certificates" for any vehicle deemed by DMV, upon consultation with EPA, to not pass the OBD II portion of the inspection due to issues specified by the manufacturer, but that may not be captured on EPA's Attachment D list. Combined, these two exceptions represent less than 0.07% of all inspections in the three years since their inception.

Saf-C 3222.06 also incorporate EPA's Attachment D list of vehicles that are recognized as "having OBD readiness testability issues". This Attachment D list exempts specific vehicles by make, model, and model year from meeting certain OBD testing parameters. Therefore, DMV has incorporated into Saf-C 3222.06 a list of vehicles exempted from rejection criteria that is consistent with the EPA's Attachment D list. The NHOST software is programmed to recognize vehicles on this list and prompts an inspector to conduct the appropriate alternative inspection procedure.

Due to the very low percentage of vehicles impacted by the state's economic hardship time extensions and administrator certificates, less than 0.07% averaged between 2007 and 2009, the "waiver rate"

reflected in the MOBILE6.2 input files was set at 0.5% to provide a conservative allowance for future variability in the actual “waiver rate” (Attachment VII) .

10.2. Applicable Documentation for the New Hampshire I/M Program

See DMV administrative rules in Attachment V.

11. Motorist Compliance Enforcement (40 CFR § 51.361)

11.1. New Hampshire Program Meeting Federal Requirements

New Hampshire’s sticker-based enforcement program incorporates some attributes of registration suspension, since the loss of registration (along with the suspension of the driver’s license and the threat of arrest by way of bench warrant) may be a consequence of noncompliance. The primary elements of the consumer compliance strategy are:

1. A penalty sequence that has fines, registration suspension, driver license suspension; and the potential for arrest as an ultimate consequences of non-compliance;
2. Increased priority on stickers by state police patrol units;
3. Increased priority on stickers by local police departments; and
4. More public education through written reminders issued at town offices.

The New Hampshire’s vehicle inspection program, as reported in the calendar year 2010 NH IM Annual Report, has a compliance rate of 98% and is enforced by use of a highly visible windshield sticker. The sticker consists of two parts, a number indicating the month of inspection and a colored backing that represents the year. When a vehicle is identified as having an invalid or missing inspection sticker, the sequence for enforcement is as follows:

1. Citation issued fining the driver \$60 and requiring an inspection of the vehicle within 10 days.
2. If, after 30 days, the fine has not been paid, DOS will issue a default notice to the driver which will result in the automatic suspension of the driver’s license and the vehicle registration, and the assessment of an additional \$100 fee to restore driver’s license. Total fine is now \$160.
3. Further, if the fine is not paid, DOS has authority to request a bench warrant be issued by the court system for the arrest of the operator. The bench warrant will be issued electronically to expedite the process. It is significant to note that local towns receive a \$100 “bounty” for each executed warrant. Therefore, local towns have a strong financial incentive to expedite processing of bench warrants.

11.2. Enhanced Safety Inspection Program Compliance

New Hampshire’s Enhanced Safety Inspection program includes a visual inspection of vehicles not equipped with OBD (MY 1995 and older) to detect evidence of tampering with the emission control system of a vehicle, as described in Saf-C 3222.04. These rules specify that:

- (a) For the purposes of this section, “tamper with” means to permanently remove, bypass, defeat or otherwise render inoperable, any portion of an emission control system, including software, that is installed in or on a motor vehicle; and

(b) If, during a safety inspection or OBD inspection, a mechanic determines that any portion of an emission control system has been tampered with pursuant to (a) above, the mechanic shall report, in writing the details of such tampering to the department.

11.3. OBD II Inspection Program

If a motor vehicle is inspected and passes the state's safety inspection, but fails the OBD II test, the vehicle receives just the number portion of the two-part inspection sticker. New Hampshire law allows motorists 60 days for repairs for OBD II failures. Motorists are likely to be pulled over for lack of the colored portion of the sticker. By presenting a copy of their OBD II test report that shows they are within their 60-day grace period, a motorist can avoid a citation. Motorists that exceed the grace period are subject to the fines and consequences noted above.

As noted in Section 4.1, the Commissioner of DOS has authorized the dedication of significant resources to the enforcement of the New Hampshire I/M program. These resources are deployed for the purpose of enforcement of the I/M inspection program, both at the inspection station and consumer level. Beyond the resources cited in Section 4, there is an impressive amount of enforcement ability at the next level; to wit, all regular State Police Patrol units, all County Sheriff Deputies, and all local law enforcement officers, any of whom can and do issue citations for uninspected vehicles. Analysis from the NH 2010 Annual IM Inspection report found that New Hampshire's IM inspection compliance rate was 98%.

11.4. Applicable Documentation for the New Hampshire I/M Program

The authority for the fines issued for non-compliance with New Hampshire's I/M program come from New Hampshire RSA 266:1, which requires that vehicles undergo an inspection, as well as from RSA 266:5 and RSA 263:56-a, which describe the penalties for failure to obey the inspection requirements.

The authority for bench warrants is provided in RSA 502-A:19-b, and the authority for the \$100 "bounty" for each locally executed warrant is in RSA 263:56-d. Direct enforcement is handled by State Police Troopers as authorized by RSA 266:1-a. All referenced RSAs can be found in Attachment IV.

For documentation of the vendor's contractual requirements, see section 3.2 and Attachment VI.

12. Motorist Compliance Enforcement Program Oversight (40 CFR § 51.362)

12.1. Applicable Documentation for the New Hampshire I/M Program

NHOST unit design and operation include advanced data entry procedures to minimize entry errors, prescribed test procedures to ensure proper and consistent vehicle inspections, highly understandable/user-friendly data entry screens to minimize inspector confusion, test unit lockouts to prevent unauthorized testing or other use of NHOST units, tamper-proof equipment design, industry-standard security features to restrict access to authorized parties, and the absolute minimum in terms of required human decisions and interactions.

In addition, the vendor maintains a primary database and a backup database to maintain a record of all inspection data, including registration, and vehicle information. The resulting communications logs stored on the database provide a complete audit trail of all on-line transaction processing (OLTP) transactions. The vendor's sticker inventory system also incorporates a fully integrated cradle-to-grave sticker tracking system to ensure sticker security. The State of New Hampshire also has written protocols for sticker handling laid out in Saf-C 3209 (Attachment V).

In terms of information management and verification, the State not only has written protocols laid out in Saf-C 3210 for mechanics to verify vehicle identity on the front end, but New Hampshire reviews its test records and compares them to the DMV registration database on an annual basis as it prepares its annual report to the EPA at the end of each state fiscal year. This process allows DES and DMV staff an opportunity to verify the integrity of the both datasets, which are maintained separately.

Due to the statewide nature of its program, the requirement for out-of area check is not applicable. The State also does not evaluate registration change applications, as it relies on a sticker-based enforcement system.

12.2. Applicable Documentation for the New Hampshire I/M Program

For documentation of the vendor's contractual requirements, see section 3.2 and Attachment VI. For documentation of New Hampshire Code of Administrative Rules, CHAPTER Saf-C 3200, Parts 3209 and 3210, see Attachment V.

13. Quality Assurance (40 CFR § 51.363)

13.1. New Hampshire Program Meeting Federal Requirements

Inspection station compliance is assured through audits and opportunities for stations to report other stations they suspect may be selling stickers, falsifying inspections or otherwise avoiding compliance. State police enforcement area officers conduct regular overt audits of the approximately 1820 inspection stations in the state. Covert audits are not currently conducted. Instead, DOS has worked with its OBD II vendor to develop and use sophisticated electronic analysis "triggers" to evaluate the performance of the decentralized inspection stations and inspectors by identifying anomalies and irregularities that might indicate fraud (Attachment VIII). Triggers-based data analyses/reports are not canned summary versions that are produced by the I/M data system on a regular, periodic (e.g. monthly) basis. Instead, they are produced on an on-demand basis by DMV staff as needed to monitor inspections on an ongoing basis and to assist in investigations of specific stations or to search for particular patterns of potential violations or anomalies. This system allows the DMV to monitor a statewide decentralized system more effectively and efficiently.

New Hampshire will continue to evaluate incorporation of a covert auditing program in the state's I/M program in conjunction with the legislative OBD Advisory Committee. Should such a program be incorporated, DES will submit a SIP revision to reflect this change. At this time, however, it is the position of DMV and DES that the current triggers analysis is more effective than a covert audit program utilizing vehicle pre-set to pass and pre-set to fail that are surreptitiously tested at a large number of randomly selected test stations in an enforcement "sting" operation.

Officers conducting an inspection station audit generally look to see that stations and certified inspectors are following inspection requirements under Saf-C 3220, as well as any written policy and/or guidance documents issued by DMV subsequent to the rule. Among other things, officers may check to see that a station possesses up to date copies of appropriate repair manuals, as required by rule, as well as ascertain whether the station has required tools with which to perform the inspection. An officer may observe an ongoing inspection to ensure that the inspector performs it properly. The officers check all documentation, such as station and inspector certifications. The officers determine that stickers and reporting documents are secure, that there are no missing stickers from the sequence

issued, as well as otherwise ensuring the integrity of all forms and documents. In addition, DOS has dedicated a phone line as an emissions information “hotline” that station owners may use to report other stations they believe to be violating inspection requirements.

While inspectors are hired and trained by local inspection stations, they must be certified by the state to conduct inspections. New inspectors and inspectors being recertified to perform inspections are required to attend an orientation and Inspection School at DOS in Concord and to submit to a field test administered by an enforcement officer, in order to receive certification. The equipment vendor has responsibility to train inspectors in the proper use of the OBD II inspection equipment.

The State of New Hampshire is evaluating development of a covert audit program which could be used in conjunction with the Triggers Analysis. The State may include it as a vendor responsibility in the next RFP and vendor contract.

13.2. Applicable Documentation for the New Hampshire I/M Program

The documentation for the Triggers Analysis and the hotline developed by the vendor is described in Attachment VIII and noted in Section 3.2, with the vendor’s commitments documented in Attachment VI.

14. Enforcement against Contractors, Stations and Inspectors (40 CFR § 51.364)

14.1. New Hampshire Program Meeting Federal Requirements

In cases where an inspection sticker is found to be applied but repairs not performed, or if the sticker was otherwise improperly given, an investigation will follow. The penalties against an inspector and/or station owner who violates the inspection statute are significant. An inspector who performs an invalid inspection is disciplined administratively. Following a hearing, station owners and inspectors can have their privilege to inspect cars suspended or revoked. Since stations typically provide the repairs required for failing vehicles to pass inspection, New Hampshire believes this constitutes an effective deterrent and punishment.

14.2. Applicable Documentation for the New Hampshire I/M Program

Through authority provided in RSA 260: 6-b (see Attachment IV), station owners can have their privilege to inspect cars suspended or revoked. New Hampshire believes this constitutes an effective deterrent and punishment.

15. Data Collection (40 CFR § 51.365)

15.1. New Hampshire Program Meeting Federal Requirements

The vendor is required to supply all the hardware, software, support, maintenance, and training necessary to deploy an effective and cost-efficient statewide data collection and communications system that will allow the individual inspection stations to perform OBD II tests/safety inspections on

passenger cars, trucks, and motorcycles and report their results electronically to the DMV. The scan tools utilized are required to be able to collect OBD II test data and vehicle safety inspection data sufficient for EPA and DMV reporting and queries.

15.2. Applicable Documentation for the New Hampshire I/M Program

For documentation of the vendor's contractual requirements, see section 3.2 and Attachment VI.

16. Data Analysis and Reporting (40 CFR § 51.366)

16.1. New Hampshire Program Meeting Federal Requirements

The vendor is required to prepare and submit all data to the DMV regarding the results of OBD II testing, together with a summary report, which includes numbers of vehicles tested/inspected, failure rates, and other information necessary to meet the State's reporting requirements. The data is analyzed by the NH DMV and NH DES staff and submitted to the EPA to meet the annual and biennial reporting requirements as described in 40 CFR § 51.366.

16.2. Applicable Documentation for the New Hampshire I/M Program

New Hampshire has met its reporting requirements under the I/M program, submitting annual reports for 2006 - 2009, with the first biennial report being submitted for 2007-2008.

For documentation of the vendor's contractual requirements, see section 3.2 and Attachment VI.

17. Inspector Training and Certification (40 CFR § 51.367)

17.1. New Hampshire Program Meeting Federal Requirements

Under Saf-C Part 3205.03, new inspectors and inspectors that are being recertified to perform inspections are required to attend Inspection School at DOS in Concord (Attachment V). Inspectors are hired and trained by local inspection stations. They are required to attend an orientation and training school at DOS, and to submit to a field test administered by an enforcement officer in order to receive certification. The equipment vendor is responsible for training inspectors in the proper use of the OBD inspection equipment.

DMV conducts training and certification on the safety and anti-tampering portion of the annual inspection. The vendor conducts, in conjunction with the NH DMV, training and testing for OBD II inspector certification.

Training topics include an introduction to vehicle emissions inspections and OBD, OBD II and safety test procedures, test ethics and fraud, hands-on training, written and hands-on test, and inspector certification.

In addition to training in basic inspection and OBD II testing skills, the vendor also provides an education and outreach component to address ethics and fraud prevention. This includes information on the vendor's fraud protection system, the legal penalties for fraud and/or bribery, and clear and explicit policies for reporting attempted fraud or bribery.

The vendor and DMV collaborate in the training component so as to allow the DMV to have a complete oversight function, and to monitor and evaluate the effectiveness and integrity of the curricula and the results of the written and hands-on tests for inspector training.

17.2. Applicable Documentation for the New Hampshire I/M Program

For documentation of the vendor's contractual requirements, see section 3.2 and Attachment VI.

18. Public Information and Consumer Protection (40 CFR § 51.368)

18.1. New Hampshire Program Meeting Federal Requirements

The State has an ongoing public information campaign, which is available online. The program vendor is also required to maintain a support program that can efficiently and effectively address issues from various customers, including the State, individual participating inspection stations, inspection station personnel, and the general public. The support program includes a "Help Line" (both telephone and web-based) for consumers and inspection stations. The Help Line is designed to ensure quality, efficiency and convenience for customers.

As detailed in Section 5.2, the vendor also provides referee services in the event of a disputed OBD II inspection outcome.

18.2. Applicable Documentation for the New Hampshire I/M Program

For documentation of the vendor's contractual requirements, see section 3.2 and Attachment VI.

19. Improving Repair Effectiveness (40 CFR § 51.369)

19.1. New Hampshire Program Meeting Federal Requirements

New Hampshire's technical schools offer OBD II training as part of their vehicle technician curriculum. The NH Auto Dealers Association (NHADA), with assistance from DES also offers training on a variety of vehicle/environmental issues including OBD II. The NHADA provides an Environmental Specialist and DES Air Division provides a Small Business Ombudsman who are available to assist auto service facilities with environmental issues including OBD II implementation. Discussions are underway to determine whether programs can be implemented through the NH community and technical college network.

New Hampshire mechanics currently rely on trade organizations that offer technical support and they do self-improvement training through the National Institute for Automotive Service Excellence (ASE). The State of New Hampshire is supportive of this effort to obtain further education and advanced certification. Through outreach efforts to consumers, the State is working to elevate the demand for ASE L1-certified (or equivalent) mechanics to provide their OBD II repairs.

19.2. Applicable Documentation for the New Hampshire I/M Program

N/A. See above.

20. Compliance with Recall Notices (40 CFR § 51.370)

20.1. New Hampshire Program Meeting Federal Requirements

The vendor is prepared to work with the State to institute changes to the systems, operations and procedures that would make them consistent with and enable the DMV to meet the obligations of 40 CFR section 51.370, concerning methods to ensure that subject vehicles have had necessary emissions related repairs completed if needed as soon as such data exists.

Current VIN-based lists of vehicles with unresolved recalls are needed to implement this compliance verification process. According to 40 CFR 51.370, the lists are to be made available by EPA, the manufacturers or an approved third-party supplier. However, the manufacturers are not presently required to provide such lists to EPA, they do not currently exist, and EPA staff indicated this requirement is unlikely to be implemented in the future. As a result, EPA has never enforced the provisions of 40 CFR 51.370 against state I/M programs.

20.2. Applicable Documentation for the New Hampshire I/M Program

For documentation of the vendor's contractual requirements, see section 3.2 and Attachment VI.

21. On-Road Testing (40 CFR § 51.371)

21.1. New Hampshire Program Meeting Federal Requirements

HB 1513, the enabling legislation for New Hampshire's I/M program (Attachment III), included language requiring DES and DOS to conduct a study of the effectiveness of available options for remote sensing of NOx emissions from mobile sources of air pollution. In addition, it required that a remote sensing pilot program for sensing NOx emissions from mobile sources be studied and proposed for legislative consideration during the 1999 legislative session. The study, which was completed in February 1999, ultimately found that, at that time, remote sensing technology would be of low-value to identify vehicles that do not meet emissions standards or to exempt vehicles from inspection.

In conjunction with the legislative OBD Advisory Committee, New Hampshire will continue to evaluate incorporation of on-road testing using remote sensing technology in the state's I/M program. Should such a program be incorporated, DES will submit a SIP revision to reflect this change.

21.2. Applicable Documentation for the New Hampshire I/M Program

N/A. See above.